

**AGENDA:** March 23, 2004

**8.1**

**CATEGORY:** Items Initiated by Council

**DEPT.:** City Council

**TITLE:** Authorization to Send a Letter in Support of AB 2980 (Salinas)—Self-Certification

### **RECOMMENDATION**

Authorize the Mayor to send a letter in support of AB 2980 (Salinas) to Assembly member Simon Salinas, local legislators, the Assembly Local Government Committee and the Assembly Housing and Community Development Committee.

### **FISCAL IMPACT**

There is no fiscal impact directly associated with the approval of the above-listed recommendation.

### **BACKGROUND AND ANALYSIS**

Introduced by Assembly member Simon Salinas, AB 2980 is a League of California Cities (LCC) sponsored housing element self-certification bill. AB 2980 is similar to AB 980, which was introduced in 2003. AB 980 died because it was not passed before January 31, 2004.

AB 2980 would grant regulatory relief from the State's Department of Housing and Community Development's (HCD) reviews of local housing elements for communities that commit to a targeted production level of affordable housing. AB 2980 authorizes "production-based certification," calling for a return of local control to cities that commit to build at least 15 percent of their share of low- and very low-income housing over their five-year housing element cycle. According to the author and the LCC, it will take a major effort by local government to change the housing element law.

Existing law authorizes cities and counties within the jurisdiction of the San Diego Association of Governments to self-certify the revision of their general plan housing elements. Existing law also makes the self-certified cities and counties eligible for specified State housing funds in the same manner as other jurisdictions. AB 2980 would authorize any qualified community to adopt its housing element without sending it to the HCD for additional review if the community is producing, or has committed to producing, at least 15 percent of its assigned low-income or very low-income regional housing needs allocation.

**AGENDA:** March 23, 2003

**PAGE:** 2

The language in AB 2980 allows for maximum flexibility at the local level in determining whether these additional affordable units would be developed either as new or rehabilitated units. Additionally, this bill would require the City of Mountain View to make a finding that the Housing Element was also in compliance with the key components of housing element law based upon substantial evidence.

Supporters of this bill include the LCC, the City of San Jose, Assembly members Dutra and Laird, and Senator McPherson. The Santa Clara County Cities Association (SCCCA) supported this bill's predecessor (AB 980) and favors self-certification processes but has not yet considered AB 2980. Assembly member Salinas' office has not yet received any letters opposing AB 2980. Groups that could potentially be opposed to AB 2980 may include realtors and builders. No independent analysis is available for this bill.

### **CONCLUSION**

I request Council authorization to have the Mayor sign a letter in support of AB 2980 (Salinas).

**PUBLIC NOTICING**—Agenda posting.

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Attachment: 1. AB 2980 (Salinas)